

TENNESSEE COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

DATE: September 15, 2011

TIME: 9:00 A.M., CST

LOCATION: Poplar Room, Ground Floor
227 French Landing
Heritage Place – Metro Center
Nashville, TN 37247

COUNCIL MEMBERS

PRESENT: Craig Haltom, Hearing Instrument Specialist, Chair
Frederick Rayne, M.D.
David Levy, Au.D, Hearing Instrument Specialist,
Secretary
Edward Alderman, Citizen Member

STAFF

PRESENT: Stacy Tarr, Council Administrator
Brian Sims, Office of General Counsel

Dr. Haltom called the meeting to order at 9:09 a.m. A quorum was present.

Minutes

Dr. Levy made a motion, seconded by Dr. Rayne, to approve the March 3, 2011 Council Meeting minutes as written. The motion carried.

Office of General Counsel

The Office of General Counsel does not have any open cases.

The Council will reconsider Rule 1370-2-.06; it's previously passed fee rules.

Discuss Rule Amendments

On July 27, 2011, Mr. Haltom appeared before the Tennessee Joint Government Operations Committee. The consensus was that the implementation of all the fee increases may not be necessary. A sixty (60) day stay was entered for the fee rule until September 25, 2011.

Dr. Levy thanked Mr. Haltom for attending the meeting with the Government Operations Committee. He asked Mr. Haltom to give a general synopsis.

Mr. Haltom stated there was some discussion on the necessity of the extent of fees that are necessary. The problem is that accounting is done a year in arrears, so we are playing a guessing game as to how much it will take to get out of the red. Based upon projections from the years past, it appeared we needed to create more revenue. We also have a situation where we were in arrears approximately \$45,000.00, so we have to make up the past indebtedness and plan for the future. As it turned out, our best guess was wrong. Instead of needing more money, we spent less money. In my mind it doesn't make a whole lot of sense to go before the Legislature and ask for more money when we don't need it. What we need to do is make up the indebtedness which in my mind is a separate issue. Senator Bell was one of the senators who was very outspoken in saying we didn't need a fee increase. It also seems as if there was approximately a \$5,000.00 mistake in accounting, so instead of being \$5,000.00 in the black we're about \$10,000.00 in the black. So if that's the case, we don't need to increase the fees. I think we are in pretty good shape right now. We do however need to make up the \$40,000.00 indebtedness from the past. We need to discuss how we do this.

Mr. Sims stated that the only action the Council can take is to withdraw part or all of the proposed fee increase.

Dr. Levy asked Mr. Sims what he thought the Council should do. Mr. Sims stated on the financial side I cannot advise you on the things you should or shouldn't do on your expense reports. I will state, as Mr. Haltom stated, it appears you are only approximately \$40,000.00 in debt due to past years. Mr. Sims stated it appears that you will close this fiscal year in the black. It's up to this Council as to what they would like to do.

Mr. Haltom stated the Governor has shown a great deal of interest in reducing the budget and getting rid of some boards. It's in our benefit to be in the black and stay in the black. Based upon last year and the previous year we are running a surplus somewhere between \$10,000.00 to \$15,000.00. I do think that's a good thing but we need to make up the past indebtedness as quickly as possible.

Mr. Haltom stated if we go forward the way we are we will present an extra \$50,000.00 a year to the general fund. I don't think it's fair to ask the licensees in this state to do that. We pay more than our fair share. I think we need to cancel what we've done.

Mr. Sims stated that if we rescind these fee rules we will have to go back thru the rule making process. No action can be taken by the Council today to increase any fees.

Dr. Rayne stated if we don't do anything to these rules, they will go into effect after the sixty (60) day stay. What can this council do to amend or change what we currently have?

Mr. Sims said you can either delete them or leave them line by line. You cannot amend any amounts.

Mr. Haltom stated if we keep the operational fee and cancel all the rest, if we see it's going well, we could then cancel the operational fee.

Dr. Levy made a motion, seconded by Mr. Alderman, to withdraw Rule 1370-2-.06 (3)(a) 1-7 regarding increased fees. The motion carried.

A roll call vote was conducted and all members voted in the affirmative.

Dr. Levy made a motion, seconded by Dr. Rayne, to maintain Rule 1370-2-.06 (3) (8) regarding Council Operations Fee of \$300.00. The motion carried.

A roll call vote was conducted and all members voted in the affirmative.

Dr. Levy made a motion, seconded by Dr. Rayne, to maintain Rule 1370-2-.06 (3) (b) regarding Council Operations Fee, which states, a non-refundable fee to be paid by each hearing instrument specialist. This fee shall be paid by the last day in the licensee's birth month in the non-renewal year. This fee shall be effective for two (2) renewal cycles for each licensee. This fee shall expire at midnight on December 31, 2016. The motion carried.

A roll call vote was conducted and all members voted in the affirmative.

Investigative Report

There are eleven (11) cases open. Four (4) are currently being investigated and seven (7) are ready for review.

Monitored Practitioners

There are three (3) licensees, one (1) on probation and two (2) revoked. Michael Simpson will be removed, he has paid in full for practicing without a valid license.

Financial Report

For fiscal year ending June 30, 2010 the council had expenditures of \$44,232.42, revenues of \$49,434.76 and a current year net of \$5,202.34.

For fiscal year 2011, revenue collections as posted in RBS thru June 30, 2011 total \$51,239.25.

Administrative Report

There are 125 licensed hearing instrument specialists and four (4) apprentices.

Between February 22, 2011 and September 8, 2011, 31 Hearing Instrument Specialists have renewed their licenses. Out of the 31, 10 renewed online.

Newly Licensed

Dr. Rayne made a motion, seconded by Dr. Levy, to approve the following newly licensed hearing instrument specialists:

Troy Greenwald
Sidney Hunter
Brandon Mayo
Vanessa Mellini

The motion carried.

Reinstated

Dr. Rayne made a motion, seconded by Mr. Alderman, to approve the following reinstatements for Hearing Instrument Specialists:

Christopher Healey
Robert Pack
Michael Simpson

Dr. Levy abstained.

The motion carried.

Continuing Education

The Council reviewed a request from Arkansas Hearing Society to approve 12 hours of CEU credit.

Mr. Haltom requested a letter be sent to Arkansas Hearing Society stating, "Per Rule 1370-2-.12 (3) (a) (1) they are already considered a Pre-approved course Provider, however they cannot give credit for Ethics and Arkansas Law".

Correspondence

The Council reviewed a letter sent by the International Hearing Society informing them of the new computer based ILE testing exam.

The Council reviewed a letter from Judy Sadler regarding information on the Denali Personal Listening System and asking whether it can be sold in Tennessee. The Board chose to take no action on this letter.

Dr. Levy stated Beltone of Chicago graciously donated broken hearing aides to the Council for Hearing Instrument Specialists to use for their troubleshooting part of the practical examination. He would like to personally thank Mr. Keiser for their contribution.

With no other Board business to conduct, Dr. Rayne made a motion, seconded by Dr. Levy, to adjourn at 9:46 a.m. The motion carried.